



## Armenia

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **International Religious Freedom Report 2009**

**October 26, 2009**

The Constitution provides for freedom of religion; however, the law places some restrictions on the religious freedom of adherents of minority religious groups.

The Government generally did not enforce existing legal restrictions on religious freedom. There was no change in the status of respect for religious freedom by the Government during the reporting period.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice.

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights.

#### Section I. Religious Demography

The country has an area of 11,500 square miles and a population of 3 million. Approximately 98 percent of the population is ethnic Armenian. The link between Armenian ethnicity and the Armenian Apostolic Holy Church (Armenian Church) is strong. An estimated 90 percent of citizens nominally belong to the Armenian Church, which is one of six ancient autocephalous Eastern churches and which has its spiritual center (Mother See) located at the Etchmiadzin cathedral and monastery near the capital of Yerevan.

There are small communities of other religious groups. There was no reliable census data on religious minorities, and estimates from congregants varied significantly. Groups constituting less than 5 percent of the population include: Roman Catholics, Armenian Uniate (Mekhitarist) Catholics, Orthodox Christians, Armenian Evangelical Christians, Molokans, Pentecostals, Seventh-day Adventists, Baptists, various groups of charismatic Christians, Jehovah's Witnesses, members of The Church of Jesus Christ of Latter-day Saints (Mormons), Yezidis (non-Muslim Kurds who practice Yezidism), Jews, Sunni Muslim Kurds, Shi'ite Muslims, Baha'is, and others.

Yezidis are concentrated primarily in agricultural areas around Mount Aragats, northwest of Yerevan. Armenian Catholics live primarily in the north, while most Jews, Mormons, Baha'is, and Orthodox Christians reside in Yerevan, along with a small community of mostly Shi'ite Muslims, including Iranians, and temporary residents from the Middle East.

#### Section II. Status of Government Respect for Religious Freedom

##### Legal/Policy Framework

The Constitution provides for freedom of religion and the right to practice, choose, or change religious belief. Concurrently, it recognizes "the exclusive mission of the Armenian Church as a national church in the spiritual life, development of the national culture, and preservation of the national identity of the people of Armenia." The Constitution and the Law on Freedom of Conscience and Religious Organizations establish separation of church and

state, but grant the Armenian Church official status as the national church.

The April 2007 Law on the Relations of the Republic of Armenia and the Armenian Church regulates the special relationship between the state and the Armenian Church and grants certain privileges to the Armenian Church that are not available to other religious groups. It makes the Armenian Church's marriage rite legally binding, but the supporting legal acts to enforce this are not yet in place. The law also allows the Armenian Church to have permanent representatives in hospitals, orphanages, boarding schools, military units, and all places of detentions, while the Law on Freedom of Conscience and Religious Organizations permits other religious organizations to have representatives in these places on demand only. In general, the Law on the Relations of the Republic of Armenia and the Armenian Church formally recognizes the moral as well as ethnic role that the Armenian Church plays in society, as most citizens see it as an integral part of national identity and cultural heritage.

The Government observes January 6, the day on which the Armenian Church celebrates Christmas, as a national holiday. During the year, the Government designates, through its decrees, five church observances as official Monday holidays, during which it is customary to visit the graves of loved ones. The preceding or following Saturdays are designated as workdays.

The law does not mandate registration of nongovernmental organizations (NGOs), including religious groups; however, only registered organizations have legal status. Only registered groups may publish more than 1,000 copies of newspapers or magazines, rent meeting places, broadcast programs on television or radio, or officially sponsor visitors' visas, although individual members may do so. To qualify for registration, religious organizations must "be free from materialism and of a purely spiritual nature," have at least 200 adult members, and subscribe to a doctrine based on "historically recognized holy scriptures." The registration requirements do not refer to the religious organizations of national minorities. The Office of the State Registrar registers religious entities. The Department of Religious Affairs and National Minorities oversees religious affairs and performs a consultative role in the registration process. There were no reports that the Government refused to register qualified religious groups that wanted to register.

The Law on Alternative Service allows conscientious objectors--subject to government panel approval--to perform either noncombatant military or labor service duties rather than serve as combat-trained military personnel. The law took effect in 2004 and applies to subsequent draftees and those serving prison terms for draft evasion. A January 2006 amendment to the Criminal Code criminalizes evasion of alternative labor service. However, conscientious objectors continued to maintain that military control of the alternative labor service amounted to unacceptable military service.

The Law on Education mandates that public schools offer a secular education. Only personnel authorized and trained by the Government may teach in public schools. Courses in the History of the Armenian Church are part of the public school curriculum and are taught by public school teachers. Course teacher qualifications are defined by the Armenian Church, which may also nominate candidates to teach the course. All religious organizations may establish groups for religious instruction to train their members, utilizing facilities belonging to or set aside for them. The law grants the Armenian Church the right to organize voluntary religious classes in state education institutions using the facilities and resources of those institutions.

On March 19, 2009, controversial draft changes to the Law on Freedom of Conscience and Religious Organizations and the Criminal Code had their first reading in the National Assembly. The draft amendments would allow for an increase in the required number of members for a religious organization to legally register. They seek to legally define Christian belief as "the belief in Jesus Christ as God and Savior and an acceptance of the Holy Trinity" as a prerequisite for registering Christian religious organizations. These drafts also seek legally to define and criminalize "soul hunting," a term negatively used as a synonym for all types of proselytism. The introduction of these draft laws sparked contentious societal debate, with many local experts and religious freedom activists, as well as

representatives of religious groups, viewing the drafts (which have yet to pass a second reading to become law) as being aimed against religious minorities and religious diversity in the country. Following a request by the Armenian National Assembly, the European Commission for Democracy through Law (Venice Commission) and the OSCE/ODIHR Advisory Council on Freedom of Religion or Belief reviewed the draft legislation and their joint opinion was adopted by the Venice Commission during its June 12-13, 2009 plenary session. The joint review analyzed the original Law on Freedom of Conscience and Religious Organizations together with the proposed legislation and was critical of both. The legal review concluded that while the draft laws took some important steps to improve the precision and the range of human rights guarantees as required by international commitments, they also raised several concerns and would require redrafting. The law currently in force would also require more extensive amendments than those proposed by the draft law under consideration. Among many other things the joint opinion recommended extensive redrafting of the current registration requirements, as well as deletion of the proposed definition of Christianity. The review disapproved of the proposed increase of members necessary for registration. The review also called for re-wording the offence of proselytism to ensure that the offence is clearly defined as one of "improper proselytism," that the definition of "improper proselytism" be drawn with greater care, and that the penalties be reconsidered as they could be unduly harsh. The progress of the draft in the National Assembly was halted by the summer recess. At the end of the reporting period there was no additional information to suggest how the Government planned to proceed with these drafts. The Government had not commented on the OSCE and Venice Commission feedback.

#### Restrictions on Religious Freedom

The Government generally did not enforce existing legal restrictions on religious freedom. There was no change in the status of respect for religious freedom by the Government during the reporting period.

The Law on Freedom of Conscience and Religious Organizations prohibits but does not define "soul-hunting," a non-legal term perceived locally to describe both proselytism and forced conversion. The prohibition applies to all groups, including the Armenian Church. Most registered religious groups reported no significant legal impediments to their activities during the reporting period.

Although the law prohibits foreign funding of foreign-based denominations, the Government did not enforce the ban.

Throughout the reporting period, a group calling itself the "One Nation Party" continued, unimpeded by (and potentially with the tacit approval of) the authorities, to post leaflets in various areas of Yerevan denouncing Jehovah's Witnesses and warning against "sects." According to local observers, the same group, also referring to itself as the "One Nation Alliance of Organizations," distributed thousands of leaflets containing even more defamatory content throughout the country. The leaflets compare legally registered organizations in the country to "Satanists," labeling them all as "sects" engaged in antinational and destructive activities, and calling on Armenians to fight against them.

Throughout the reporting period, numerous minority religious groups reported a general trend of intolerance emerging in schools which involved targeting teachers and children involved in religious groups other than the Armenian Church. There were reports that teachers singled out children of minority religious groups during classes and that classmates targeted these children for abuse and mockery.

On May 11, 2009, Bishop Sepouh Chouldjian, the Primate of the Diocese of Gougar, held a meeting with school directors in Vanadzor, which was attended by Lori Governor Aram Kocharyan and other officials. The Bishop reportedly instructed those in attendance to work actively against "sects" in their institutions. The Governor said at the meeting that it was unacceptable to tolerate at schools "sects" and "soul-hunting" which were "widely spread in their reality." The meeting was covered by the news program of Lori TV, which reported that a similar meeting

between Armenian Church clerics and school directors from the entire region had taken place earlier in the city of Spitak. On May 14, several media outlets quoted local observers and parents who reported that after the meeting teachers intimidated and threatened to punish their students for attending gatherings or events of "sects" (i.e., any religion other than the Armenian Church). The media also reported a claim by a Governor's Office employee who aimed to refute the reports saying that the meeting dealt solely with questions surrounding classes such as the History of the Armenian Church, Armenian History, Armenian Language, Armenian Literature, and the issue of "raising youth in a patriotic spirit."

Throughout the reporting period, a group calling itself "The Group of April 24" posted leaflets in Yerevan containing derogatory content regarding what it termed "sects." These leaflets also attacked legally registered minority religious groups, claiming they came from a "criminal origin." On April 18, 2009, a pro-government newspaper published a photo of one of these leaflets on its front page under the banner, "Someone should listen to what is being said."

On April 18, a visiting American Baptist Church choir named "The Singing Men of Oklahoma" began a week-long tour of Armenia in observance of Armenian Remembrance Day, which is observed annually on April 24. The day after the group's arrival, the Armenian Church criticized the visiting choir for posting on its website information that, according to the Armenian Church, proved them to be committed to defaming and converting the Armenian people. Several government-sponsored media outlets portrayed the group as insidious and "out to steal souls" during their visit. Despite the Singing Men's repeated repudiation of these claims, National Security Service (NSS) officers reportedly threatened the local head of the Armenian Baptist Church and those who operated venues where the choir was contracted to perform. By the time they departed Armenia on April 25, over half of the group's .concerts had reportedly been forcibly cancelled

Jehovah's Witnesses reported that the administration of Yerevan's School Number 94 failed to address ongoing harassment of their members' children. On November 24, 2008, police reportedly called on the offending teenagers who allegedly admitted that they had mocked their schoolmates out of dislike for their religious differences. The victims' families reported that the school principal had condemned their seeking police assistance; the principal's response led them to decide to enroll their children in a different school.

On June 8 an online news outlet published the statement of the founder of the Yerevan Evangelical Church, alleging that National Security Service employees had harassed the members of the Gyumri branch of the charitable religious NGO "International Services of Christian Culture" in late May by summoning and interrogating them for hours about the activities of the NGO in violation of proper legal procedures and without providing any valid reason, and mocking their faith and religious beliefs during the questioning. The media report alleged that the NSS fought "soul-hunting" in that manner. The harassment reportedly stopped after the founder of the Yerevan Evangelical Church (Levon Bardakjian), who is also the founder of the NGO, began to actively raise the issue at various state institutions.

#### Abuses of Religious Freedom

Compared to the previous reporting period, Jehovah's Witnesses were sentenced to shorter prison terms stemming from their conscientious objection to military service. From July 1, 2008 to June 30, 2009, of 22 Jehovah's Witnesses sentenced, three received 36-month sentences (the maximum allowed by law), 13 received 24-month sentences, four received 30-month sentences, two received 26-month sentences, and one received a suspended sentence.

According to Jehovah's Witnesses leaders in Yerevan, as of June 30, 2009, 71 of their members remained in prison for refusal to perform military service or alternative labor service on conscientious and religious grounds, and one

member remained in pretrial detention. Representatives of Jehovah's Witnesses stated that all of the prisoners had been given the opportunity to serve an alternative to military service rather than prison time, but refused because they objected to the fact that the military retained administrative control over the alternative service.

Other than Jehovah's Witnesses who were conscientious objectors, there were no reports of religious prisoners or detainees in the country.

#### Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States or who had not been allowed to be returned to the United States.

#### Improvements and Positive Developments in Respect for Religious Freedom

Unlike during the previous reporting period, there were no anti-Semitic news reports in the Armenian media.

On May 11, 2009, in a ceremony attended by government officials, diplomats, and international scholars, the Jewish community unveiled government-sponsored renovations to an 800-year-old Jewish cemetery in the southern town of Yeghegis.

On March 20, the Jewish community inaugurated Friendship Alley, a government-funded tree-lined grove adjacent to Yerevan's WWII memorial, in honor of the Armenian and Jewish peoples' friendship and the 60th anniversary of the State of Israel.

On July 28, 2008, following the mediation of the country's Human Rights Defender, the military commissar sent a letter to the Jehovah's Witnesses informing them that all commissariats had been instructed to register and to provide passports to all persons who had been prosecuted for evading military service for conscientious reasons and had served their prison sentences. The letter stated that the Ministry of Defense and the military prosecutor did not object to the registration of these citizens. The Jehovah's Witnesses reported significant improvement since then in military commissariats' treatment of Jehovah's Witnesses and reported no problems in the issuance of documents after completion of prison sentences.

According to Jehovah's Witnesses, following a verbal agreement with the Deputy Prosecutor General, beginning spring 2008 only a few of their members who stood trial for evasion of alternative service were put under pretrial detention; in some cases they were not taken into custody until a month after the verdict on imprisonment was made, i.e. until the time when the verdict would come into legal effect. Some exceptions did occur due to local prosecutors being unaware of the decision of the Deputy Prosecutor General. In a letter addressed to the Jehovah's Witnesses on June 26, 2009, the Prosecutor General's office informed the group that an April 29 collegial session of the prosecutors reiterated to the regional prosecutors that pre-trial detention for those who did not evade the investigative bodies was inappropriate.

While occasional attacks on members of Jehovah's Witnesses engaged in Bible studies continued, the group commended the swift actions taken by the law-enforcement bodies toward the assailant in one such case. On July 13, 2008, a 53-year-old Yerevan resident attacked two Jehovah's Witnesses while they were preaching. According to the Jehovah's Witnesses, on December 19, 2008, the attacker, Hayk Elizbarian, was found guilty on charges of insulting, threatening, and beating the victim and was fined approximately \$410 (150,000 drams). The Jehovah's Witnesses praised the professionalism of the Police and the Prosecutor's Office of Arabkir and Kanaker-Zeytun Communities of Yerevan in handling this case, and noted that this was the first verdict concerning an attack on one of their members.

### Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses based on religious affiliation, belief, or practice. Societal attitudes were ambivalent toward most minority religious groups. While many citizens are not religiously observant, the link between Armenian ethnicity and the Armenian Church is strong.

According to some observers, the general population expressed negative attitudes about all minority religious groups. According to local experts, however, these attitudes did not affect personal and neighborly relationships, but rather constituted a general perception of minority religious groups as threats to the state. Minority religious groups at times continued to be targets of hostile sermons by Armenian Church clerics, and members of minority religious groups experienced societal discrimination and intolerance, including in the workplace.

Most media outlets continued to label religious groups other than the Armenian Church as "sects" in their broadcasting, and some transmitted negative programs about them. Various television stations broadcast discussions in which representatives of the Armenian Church and/or other participants labeled religious minority groups as enemies of the state and national unity.

In February 2009 Yerkir Media produced and repeatedly aired a film entitled "Soul Hunt," which negatively portrayed minority religious groups, labeled them as "sects," and accused them of extortion and endangering national security. An Armenian Church priest interviewed in the film said these groups intended to enslave people and used fraudulent means to recruit their members. The film, which was presented as a documentary, included obviously foreign footage showing crowds in trances, abused children, and theatrical enactments, and presented this "archival" footage as examples of activities of local religious groups.

Jehovah's Witnesses reported that between April and May local residents tried to hinder the construction of a new worship center in Vanadzor. According to Jehovah's Witnesses, aggression by certain individuals escalated in the period between April 21 and May 15, as they threatened construction workers and dismantled and stole some tents and ropes. The police brought the situation under control on May 14, and the construction resumed without further incidents. According to media reports the residents opposed the construction of the worship center due to its proximity to a school and a kindergarten, and apprehensions that the group would convert their children.

### Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. The U.S. Government emphasized to authorities that continued eligibility for the Millennium Challenge Compact remained contingent upon the Government's performance in meeting good governance indicators, including respect for religious freedom.

U.S. embassy officials maintained close contact with the Catholicos (primate of the Armenian Church) at Etchmiadzin and with leaders of other religious and ecumenical groups in the country. The Embassy maintained regular contact with resident and visiting regional representatives of foreign-based religious groups and raised their concerns with the Government when necessary. Embassy officials, including the Ambassador, participated in many religious communities' events to promote religious freedom.